

ENTERED

June 27, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

GS Holistic, LLC,

Plaintiff,

VS.

UPFERNO, INC, *et al.*,

Defendants.

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3:23-cv-249

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On April 10, 2025, the court referred GS Holistic, LLC's motion for default judgment, Dkt. 24, to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1)(B). Dkt. 25. Judge Edison filed a memorandum and recommendation on June 12, 2025, recommending the court (1) set aside the Clerk's entry of default, Dkt. 11, and (2) deny GS Holistic's motion for default judgment, Dkt. 24, as moot without prejudice to refiling. Dkt. 29.

The parties have not filed objections to the memorandum and recommendation. Accordingly, the court reviews it for plain error on the face of the record. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).


Based on the pleadings, the record, and the applicable law, the court

finds there is no plain error apparent from the face of the record.

Accordingly:

- (1) The court approves and adopts in its entirety Judge Edison's memorandum and recommendation as the holding of the court, Dkt. 29; and
- (2) orders the Clerk's entry of default withdrawn, Dkt. 11; and
- (3) denies the plaintiff's motion for default judgment as moot without prejudice to refiling, Dkt. 24.

Signed on Galveston Island this 27th day of June, 2025.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE